

SEC. 2. *And be it enacted*, That any such appeal may be made at any time within the period prescribed by law for entering appeals, either in the county court, or other inferior court, in which the judgment or decree hath been or shall be rendered, or by application to the clerk of such court, during the vacation thereof, who is hereby directed, on such application, to enter an appeal in the usual manner, from the judgment of the said court, to the court of appeals.

Appeal may be made at any time, &c.

SEC. 3. *And be it enacted*, That if the judgment or decree appealed from, shall have been, or shall be rendered or passed in the county court, or other inferior court, then the bond to be entered into as aforesaid, and the sureties therein, shall be approved, either by the said court, or one of the judges thereof, or by the clerk or register of such court.

Appeal bonds, how to be approved.

SEC. 4. *And be it enacted*, That where a writ of error is about to be sued out on any such judgment, then the bond to be entered into as aforesaid, and the sureties thereon, shall be approved, either by the clerk of the county court of the county wherein the sureties in such writ of error bond may reside, or by the chancellor, to whom application shall be made for such writ of error, or by the register of the court of chancery.

Writ of error bond, how to be approved.

SEC. 5. *And be it enacted*, That if the decree appealed from shall have been, or shall be rendered or passed in the court of chancery, then the bond to be entered into as aforesaid, and the sureties therein, shall be approved by the chancellor, or by the register of the court of chancery, or by the clerk of the county court of the county wherein the sureties in such appeal bond may reside.

If decree is in chancery, how bond is to be approved of.

SEC. 6. *And be it enacted*, That on any appeal being entered in any county court, or other inferior court, or in the court of chancery, from any judgment or decree therein, as herein before mentioned, or upon the production of a writ of error, upon any judgment in any county court, or other inferior court, it shall be the duty of the clerk or register of such court to make out and transmit to the court of appeals, to which such appeal may be made, or the writ of error made returnable, a full transcript or record of the whole proceedings of the said court in such action, under the hand of the clerk or register, and the seal of the court, or great seal of the state, as the case may be, within forty days next after the appeal therein shall have been entered, or the writ of error produced and filed; and upon receipt of such transcript by the clerk of the court of appeals, he shall enter the case on the docket of his court, as of the term next after the date of the appeal or of the writ of error in such case.

Proceedings on appeal, &c. to be transmitted.

SEC. 7. *And be it enacted*, That if any clerk or register shall refuse or delay to make out any such transcript or record, and transmit the same in manner aforesaid to the court of appeals,

Penalty on clerks for refusing, &c.